

**PUBLIC HEARING
BOARD OF HOUSING QUALITY APPEALS
CITY HALL McCLOSKEY CONFERENCE ROOM
October 16, 2013, 4:00 P.M.**

I. ROLL CALL

II. REVIEW OF SUMMARY – September 18, 2013 p. 2

III. CONSENT AGENDA

- (1) 13-TV-67 **303 E. Smith Avenue**, Michel King. Request for an extension of time to complete repairs. Previously heard July 17, 2013. pp. 3-9
- (2) 13-TV-70 **2500 S. Rockport Road**, Country View Associates, L.P. Request for an extension of time to complete repairs. Previously heard July 17, 2013. pp. 10-12
- (3) 13-TV-81 **508 N. Washington Street**, Cheryl Underwood. Request for an extension of time to complete repairs. Previously heard August 21, 2013. pp. 13-15
- (4) 13-TV-102 **520 E. Graham Place**, Larry Laczkowski. Request for an extension of time to complete repairs. pp. 16-20
- (5) 13-RV-103 **813-813 ½ S. Lincoln Street**, H.A.N.D. Request for rescission of a variance. p. 21
- (6) 13-TV-104 **775-777 N. Smith Road**, Robert Anthony Barnstone. Request for an extension of time to complete repairs. pp. 22-31
- (7) 13-RV-105 **515 S. Washington Street**, H.A.N.D. Request for rescission of a variance. pp. 32-34
- (8) 13-AA-106 **321 W. 15th Street**, Richard Rampley. Request for relief from an administrative decision. pp. 35-37
- (9) 13-RV-107 **1322 S. Washington Street**, H.A.N.D. Request for rescission of a variance. pp. 38-40
- (10) 13-TV-108 **1007 N. Summit Street**, Bloomington Housing Authority. Request for an extension of time to complete repairs. pp. 41-63

- (11) 13-TV-109 **515 N. Grant Street**, Roger Fierst. Request for an extension of time to complete repairs. pp. 64-69
- (12) 13-RV-110 **718 S. Lincoln Street**, H.A.N.D. Request for rescission of a variance. pp. 70-72

IV. GENERAL DISCUSSION

V. PUBLIC COMMENT

VI. ADJOURNMENT

B.H.Q.A. MEETING OF SEPTEMBER 18, 2013

SUMMARY

MEMBERS PRESENT: Kris Floyd, Elizabeth Gallman, Susie Hamilton, Nikki Johnson, Eric Spoonmore, Ryan Strauser

STAFF PRESENT: Daniel Bixler, John Hewett, Maria McCormick, Norman Mosier, Jo Stong, Dee Wills (HAND), Greg Small (Legal)

OTHERS PRESENT: Michael Baldomero (Olympus Properties)

I. REVIEW OF SUMMARY

Gallman made a motion to approve the minutes for August 21, 2013. Hamilton seconded. Motion passed, 6-0.

II. CONSENT AGENDA

221-221 ½ E. 16th Street, H.A.N.D., 13-RV-91. Request for rescission of variance. Recommendation was to grant the rescission.

2624 E. 7th Street, Lan Pham, 13-TV-92. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a November 18, 2013 deadline.

1001 N. Woodburn Avenue, Norman Ladd, 13-TV-93. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 7, 2013 deadline.

3315 E. Longview Avenue, Nextwave Apartments, 13-TV-94. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 2, 2013 deadline for life safety violations and October 18, 2013 for all other repairs.

415 S. Dunn Street, Acacia Investment, LLC, 13-TV-95. Request for an extension of time to complete repairs. Staff recommendation to grant the request with a November 18, 2013 deadline.

909 W. Ralston Drive, Donna Dazey, 13-TV-96. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 18, 2013 deadline.

601 S. Woodlawn Avenue, Jean Colbert, 13-TV-97. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 18, 2013 deadline for life safety violations and November 18, 2013 for all other repairs.

1303 S. Washington Street, JoAnn Chase, 13-AA-98. Request for relief from an administrative decision. Recommendation was to grant relief from the rental registration process as long as the unit continues to be owned by current owner and is occupied by Maria Chase. The property will be pull dated in one year to check its status.

1020 E. Maxwell Lane, H.A.N.D., 13-RV-99. Request for rescission of variance. Recommendation was to grant the rescission.

1211 W. 20th Street, Richard McClung, 13-TV-100. Request for an extension of time to complete repairs. Staff recommendation to grant the request with an October 2, 2013 deadline for smoke detectors, wiring and window issues, and November 18, 2013 for all other repairs.

Approved.

III. PETITIONS

3308 S. Daniel Court, Kenyon Kopp, 13-AA-90. The petitioner was not present to request relief from the rental registration process. Staff recommendation was deny the request with a September 27, 2013 deadline to schedule an inspection. Floyd made a motion to deny the request per staff recommendation. Johnson seconded. Motion passed, 6-0. Request denied.

IV. GENERAL DISCUSSION

None.

V. PUBLIC COMMENT

None.

VI. ADJOURNMENT

Floyd made a motion to adjourn. Strauser seconded. Motion unanimously passed. Meeting adjourned at 4:07 PM.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 16, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-67

Address: 303 E. Smith Avenue

Petitioner: Michael J. King

Inspector: Jo Stong

Staff Report: April 16, 2013: Conducted cycle inspection
June 3, 2013: Conducted reinspection
June 3, 2013: Received appeal
July 18, 2013: Sent amended report
September 10, 2013: Received copy of letter from State

The bedroom in unit #3 has no window. An incorrect code was cited on the original inspection report, and an amended report was sent out citing the correct code. The State responded to a request for a variance with the incorrect code. An extension of time is needed to complete the variance process.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 16, 2013

Attachments: Amended cycle report, application, copy of relevant code



RECEIVED
JUN 07 2013

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 303 East Smith #3

Petitioner's Name: Michel J King

Address: 351 South Lincoln St

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-333-6440 Email Address: mykdds10@gmail.com

Property Owner's Name: Michel J King

Address: 3708 Sterling Ave

City: Bloomington State: IN Zip Code: 47401

Phone Number: 812-369-9244 Email Address: mykdds10@gmail.com

Occupants: 1

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- ☒ A) An extension of time to complete repairs (Petition type TV)
- ☐ B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- ☐ C) Relief from an administrative decision (Petition type AA)
- ☐ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

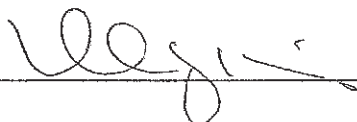
Petition Number 13-TV-67

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

This property has had a Variance since 1984
+ there is no room for a window in
the bedroom because of the construction
of the building. This apartment has been occupied
since the building was built in the 1960's.
Since I have owned this building (1989) this is
the first that I have heard of this problem
I do not understand why I have a
\$20.00 fee for this.

Signature (required):



Name (please print):

Michel J. King

Date:

6/4/13

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
Housing and Neighborhood Development

Amended Cycle Report

4138

OWNERS

=====
King, Michel
351 S. Lincoln
Bloomington, IN 47401

Prop. Location: 303 E Smith AVE
Number of Units/Structures: 3/1
Units/Bedrooms/Max # of Occupants: 3/1/1

Date Inspected: 04/16/2013
Primary Heat Source: Electric
Property Zoning: CG
Number of Stories: 1

Inspector: Jo Stong
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

NOTE: This is an amended report. The citation for the violation in the bedroom of apartment #3 was incorrect.

The property was reinspected on June 3, 2013. All other violations have been remedied.

Monroe County Assessor's records indicate this structure was built in 1960.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

Unit #1

Living Room /Kitchen (12-11 x 12-5):

No violations noted.

Bedroom (11-4 x 7-9):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. IC 22-11-18-3.5

6

Existing Egress Window Measurements (double-hung):

Height: 33 inches

Width: 21 ¼ inches

Sill Height: 46 ½ inches

Openable Area: 4.93 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Bathroom:

No violations noted.

Attic:

No violations noted.

Unit #2

Living Room/Kitchen (15-4 x 12-6):

Clean the heating/air conditioning grille. BMC 16.04.060(c)

Bedroom (11-4 x 8-0):

No violations noted.

Note: Egress window measurements are the same as in the bedroom in Unit #2.

Bathroom:

Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Unit #3

Living Room/Kitchen (16-0 x 12-7):

No violations noted.

Bedroom (12-7 x 10-5):

This room has no window and as such does not meet the minimum code requirements for light and ventilation at the time the structure was built. **The relevant code is the 1959 Indiana Building Code, section: 1305.** For that reason, the City will not issue a rental permit until either a window is installed to meet the code requirement at the time of construction, or you apply for a variance for light and ventilation with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

No violations noted.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.** BMC16.03.060(c), BMC16.10.030(b)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner shall at that time jointly complete an inventory and damage list, and this shall be signed by the owner and at least one tenant. Duplicate copies of the inventory and damage list shall be retained by all parties. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.** BMC 16.03.050(e), BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.03.030(d): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.

This is the end of this report.

All stairs and exits in Group H occupancies shall open directly upon a street or alley or upon a yard or court not less than four feet (4') in width directly connected to a street or alley by means of a passageway not less in width than the stairway opening into such passageway and not less than seven feet (7') in height.

Light, Ventilation, and Sanitation

Sec. 1305. All rooms of Group H occupancies used for eating, living, or sleeping purposes shall be provided with light and ventilation by means of windows with an area not less than one-seventh of the total floor area of such room or rooms.

Light, ventilation and sanitation shall be provided as specified by the sections on Plumbing, Electrical, and Heating, Ventilating and Air Conditioning.

See Plumbing Rules and Regulations, Volume III, for recommended sanitary facilities.

Exit

Sec. 1306. All fire exits, stairways, and passages thereto, and all exits and stairways from such portions of the structure to which the public has access shall be marked and illuminated as described and specified in Chapter 34.

Enclosure of Vertical Openings

Sec. 1307. All elevator shafts, vent shafts, stairways and other vertical openings shall be enclosed, and the enclosure shall be as specified under Types of Construction, except stairways in buildings two stories in height.

Fire-Extinguishing Apparatus

Sec. 1308. Automatic sprinklers, standpipes and basement pipe inlets shall be installed as and when required in Chapter 38.

Special Hazards

Sec. 1309. Chimneys and heating apparatus shall conform to the requirements of Chapter 37.

The storage and handling of gasoline, fuel oil and other flammable liquids shall not be permitted in any Group H occupancy unless such storage and handling comply with the Flammable Liquid Code of State Fire Marshal's Dept., published Oct. 26, 1948.

All doors leading into rooms in which volatile flammable liquids are used or kept shall be of one-hour fire-resistive construction and shall be kept normally closed.

Every boiler room or room containing a central heating plant using solid or liquid fuel shall be separated from the rest of the building by a "Special Occupancy Separation."

Exceptions: 1. Such furnaces may be used without an "Occupancy Separation" in buildings not more than two stories in height.

2. In building of Type V construction an "Ordinary Occupancy Separation" may be used.

CHAPTER 14—REQUIREMENTS FOR GROUP I OCCUPANCIES

Sec. 1401. Group I occupancies shall be:
Dwellings.

For occupancy separation see Table No. 6-B.

Sec. 1402. ~~One-family dwellings are not included in the mandatory classification of these Rules and Regulations, but the attention of the building and buying public is called to the economic advantages of insisting upon the construction of buildings of this type, based upon the minimum requirements of these Rules and Regulations, including the mechanical parts under other covers. Additional local ordinances may govern.~~

Sec. 1403. Buildings or parts of buildings classed in Group I because of the use or character of the occupancy shall not exceed, in area or height, the limits specified in Sections 505, 506, and 507.

Sec. 1404. All exterior walls or parts of walls except on street fronts of Group I occupancies which are less than three feet (3') from adjacent property lines shall have no openings therein, shall be of not less than one-hour fire-resistive construction and shall be constructed as specified in Parts V, VI

For regulating adjacent buildings on the same property see Section 504.

Sec. 1405. Stairs and exits shall be provided as and when required in Chapter 38.

Sec. 1406. All rooms of Group I occupancies used for eating, living or sleeping purposes shall be provided with light and ventilation by means of windows with an area not less than one-tenth of the total floor area of such room or rooms.

Light, ventilation and sanitation shall be provided as required by any State laws which are intended to regulate such light, ventilation and sanitation.

See Plumbing Rules and Regulations, Volume III, for recommended sanitary facilities.

Sec. 1407. Stairs in Group I occupancies need not be enclosed. Dumb-waiter shafts, clothes chutes and other similar vertical openings shall be protected as specified in Section 8008.

Sec. 1408. Fire-extinguishing apparatus when installed shall conform to the requirements of Chapter 38.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 16, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-70 (old)

Address: 2500 S. Rockport Road

Petitioner: Country View Apartments

Inspector: McCormick/Stong/Mosier/Hewett

Staff Report: April 5, 2013 Completed Cycle Inspection
May 28, 2013 Completed Complaint Inspection on #2508
June 6, 2013 Completed Complaint Re-inspection
June 11, 2013 Received Application for Appeal
August 26, 2013 Received 2nd request for extension of time
September 16, 2013 Scheduled re-inspection for Nov. 8 & 15, 2013

During the cycle inspection there were numerous violations cited at this 206 unit complex. Several of these were missing/clogged dryer vents. At a subsequent complaint inspection (for birds in the vent) the inspector requested that all the dryer and unused exhaust vents in the complex be cleaned and properly covered or terminated to prevent further infestations of small animals. The petitioner is requesting another extension of time due to the large number exterior violations.

Staff recommendation: Grant the extension until the currently scheduled re-inspection.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: November 15, 2013

Attachments: Application for 2nd Appeal



RECEIVED
AUG 20 2013

BY: _____

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 2500 S. Rockport Rd., Bloomington, IN 47403

Petitioner's Name: Country View Apartments

Address: 2500 S. Rockport Rd

City: Bloomington State: IN Zip Code: 47403

Phone Number: (812) 336-0377 Email Address: smverse@crf.net

Property Owner's Name: Country View Associates, LP / Community Reinvestment Foundation

Address: 44 N. Girl School Rd.

City: Indianapolis State: IN Zip Code: 46214

Phone Number: (317) 554-2100 Email Address: _____

Occupants: Multi-family

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

A) An extension of time to complete repairs (Petition type TV)

B) A modification or exception to the Housing Property Maintenance Code (Petition type V)

C) Relief from an administrative decision (Petition type AA)

D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

Petition Number 13-TV-70 (OLD)

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

An extension of time is requested as a result of the number of exterior building repairs and having to hire a structural engineer to complete documentation detailing recommended repairs and time to complete those repairs.

Extension time requested is 30 days.

Signature (required):

Sandra Myers, Prop. Mgr.

Name (please print):

SANDRA MYERS

Date: 8-26-13

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 16, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-81(old)

Address: 508 N. Washington Street

Petitioner: Cheryl Underwood

Inspector: Maria McCormick

Staff Report: June 10, 2013 Completed Complaint Inspection
July 7, 2013 Receive Application for Appeal
September 11, 2013 Received 2nd Application for Appeal
October 2, 2013 Received e-mail from property owner

A rental complaint was received by HAND about a dead tree in the front yard of this property. In an email from October 2, 2013 the petitioner stated that she has contracted with a tree removal service to remove the tree. Upon starting the process it was discovered that there 3 large bee nests in the tree. The petitioner is asking for an extension until colder weather has made the bees dormant to finish the removal of the tree.

Staff recommendation: Grant an extension of time.

Conditions: The tree must be removed and re-inspected by the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 1, 2013

Attachments: Email from owner; Photo of partiality cut tree

JS



Maria McCormick <mccormim@bloomington.in.gov>

dead tree at 508 N Washington St

5 messages

Cheryl Underwood <cunderwoodbackup@gmail.com>

Wed, Oct 2, 2013 at 6:14 PM

To: Maria McCormick <mccormim@bloomington.in.gov>, Lisa Abbott <abbottl@bloomington.in.gov>,

"HAND@bloomington.in.gov" <HAND@bloomington.in.gov>

Cc: Cheryl Underwood <cunderwoodbackup@gmail.com>

Maria,

I hired John Lee of Lee & Sons Tree Service to take the tree down. John came out with the bucket truck and starting taking the branches off and began to get stung by bees. He saw a big nest in a hole in the tree. He was stung on his face, inside his ear and on various spots all over. He asked me to meet him today there with cans of bee spray and said he would go up again and see if he could kill enough to bring it down.

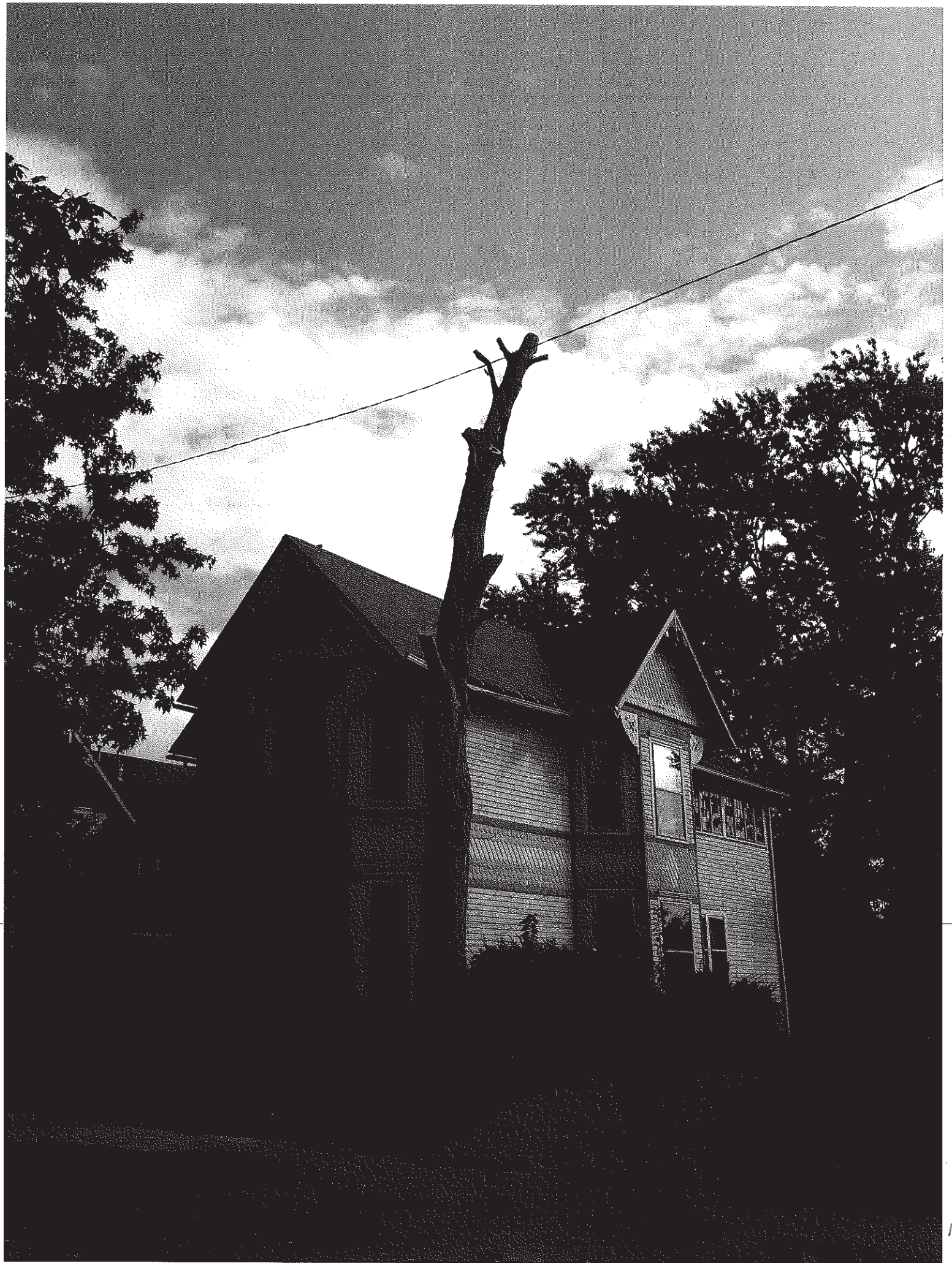
Unfortunately, there were so many bees and he was stung again so many times he said that the job could not be completed until winter when the bees went into a dormant state. He saw 3 large nests and said that it would be dangerous for anyone to disturb the bees in warm weather. The job will be completed after it is cold enough to freeze.

Cheryl L Underwood

Aronis & Underwood Realty
825 N Walnut St, Suite A
Bloomington, IN 47404
Phone 812 334 0094
Fax 812 334 2441
Cell 812 327 0948
cunderwo@homefinder.org

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92K





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 16, 2013
Petition Type: An extension of time to complete repairs.
Petition Number: 13-TV-102
Address: 520 E. Graham Place
Petitioner: Larry Laczkowski
Inspector: John Hewett
Staff Report: May 13, 2013 Completed Cycle Inspection
August 26, 2013 Received Application for Appeal

During the cycle inspection it was noted that egress windows in the bedroom do not meet code at the time of construction. The petitioner is requesting an extension of time to obtain a variance from the State of Indiana.

Openable area required: 4.75 sq. ft.
Clear width required: 18"
Clear height required: 24"
Maximum sill height: 44" above finished floor

Existing area: 4.97 sq. ft.
Existing width: 30"
Existing height: 23.5 "
Existing sill: 31" above finished floor

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 16, 2013

Attachments: Cycle Inspection report, Appeal letter



RECEIVED
AUG 26 2013

BY: _____ Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 520 GRATTAM PL
Petitioner's Name: LARRY LACZKOWSKI
Address: 5127 FAIRFAX RD
City: BLOOMINGTON State: IN Zip Code: 47401
Phone Number: 812-824-9165 Email Address: _____
Property Owner's Name: LARRY LACZKOWSKI
Address: 5127 FAIRFAX RD
City: BLOOMINGTON State: IN Zip Code: 47401
Phone Number: 812-824-9165 Email Address: _____
Occupants: THREE

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- ☒ A) An extension of time to complete repairs (Petition type TV)
☐ B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
☐ C) Relief from an administrative decision (Petition type AA)
☐ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY
Petition Number 13-TV-102

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

WAITING FOR STATE VARIANCE ON WINDOWS -

- PAST APPROVAL FROM ~~BLOOMINGTON~~ BLOOMINGTON BOARD A FEW YEARS AGO!

- REPAIRS HAVE BEEN DONE!

Signature (required): _____

Name (please print): _____ Date: _____

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
Housing and Neighborhood Development

Cycle Report

434

OWNERS

Laczkowski, Larry & Sharol
5127 S. Fairfax Rd.
Bloomington, IN 47401

Prop. Location: 520 E Graham PL
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/5

Date Inspected: 05/13/2013
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

Inspectors: John Hewett
Foundation Type: Basement
Attic Access: Yes
Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 1983.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.
Clear width required: 18"
Clear height required: 24"
Maximum Allowable Sill Height: 48" above finished floor

Room measurements are in the previous Cycle Inspection report in the rental file.

Interior

Entry

No violations noted.

Kitchen

Repair the hole in the wall adjacent to the entrance. BMC 16.04.060(a)

Secure the loose faucet on the sink. BMC 16.04.060 (c)

Living room

No violations noted.

Basement

Main room

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. BMC 16.04.060(a) (tape seam loose)

Mechanical room

No violations noted.

2nd Floor

S bedroom, Middle bedroom, N bedroom

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983. The relevant code is the 1980 Indiana Building Code, section: 1204.

Openable area required:	4.75 sq. ft.	Existing area:	4.97 sq. ft.
Clear width required:	18 "	Existing width:	30.5 "
<u>Clear height required:</u>	<u>24 "</u>	<u>Existing height:</u>	<u>23.5 "</u>
Maximum sill height:	44" above finished floor	Existing sill:	31"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom

No violations noted.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.** BMC 16.12.050 (d) and 16.10.030(b)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC16.12.040 and 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

This is the end of this report.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: 16 October 2013
Petition Type: Rescind a Variance
Petition Number: 12-RV-103
Address: 813- 813 ½ S. Lincoln
Petitioner: HAND
Inspector: John Hewett

Staff Report:

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and the Building Code in place at the time of construction did not address ceiling heights; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: None



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: October 16, 2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-104

Address: 775-777 N. Smith Rd.

Petitioner: Mark Kleinbauer

Inspector: Norman Mosier

Staff Report: June 11, 2013 – Conducted Cycle Inspection
August 30, 2013 – Received BHQA Appeal
September 24, 2013 – Scheduled re-inspection on 10-29-2013

It was noted during the cycle inspection that there are numerous violations to repair. Petitioner states that contractors are unavailable at this time, due to turn-over season. Petitioner is requesting an extension of time to complete the repairs.

Staff recommendation: Grant the request.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: October 30, 2013 - for all Life-safety violations
December 16, 2013 – For all other repairs

Attachments: Cycle Report, Remaining Violations Report, BHQA Appeal, Petitioner's Letter



RECEIVED
AUG 30 2013

BY: _____ Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 775-777 N. Smith Road
Petitioner's Name: Mark Kleinbauer - Peck + Associates
Address: 899 S. College Mall Road #385
City: Bloomington State: IN Zip Code: 47401
Phone Number: 812-386-7213 Email Address: mkleinba@homefinder.org
Property Owner's Name: Robert + Anthony Barnstone
Address: 13406 Philadelphia St
City: Whittier State: CA Zip Code: 90601
Phone Number: 562-587-3105 Email Address: tbarnstone@whittier.edu
Occupants: Karrissa Merriman (#7-777) Nancy Flynn-Hart (775 #1)
John + Brittini DeWeese (775 #3) Zac Taylor (777 #4)

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- ☒ A) An extension of time to complete repairs (Petition type TV)
- ☐ B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- ☐ C) Relief from an administrative decision (Petition type AA)
- ☐ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

Petition Number 13-TV-104

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

We need more time, hopefully 45 days to finish the repairs due to extensive list of repairs required and lack of availability of our contractors due to the busy schedules due to the rental turnover season.

We shall submit a list of the repairs prior to the BtQA meeting date and hope that the repairs shall be either all or mostly completed. Thank you for your consideration.

Signature (required):



Name (please print):

Mark Kleinbauer

Date:

8/29/13

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
Housing and Neighborhood Development

CYCLE REPORT

4320

OWNERS

=====

Barnstone, Robert & Anthony
C/O Elli Barnstone, 4930 E. Heritage Woods
Bloomington, IN 47401

AGENT

=====

Peek & Associates C/O Mark Kleinbauer
899 S. College Mall Road #385
Bloomington, IN 47401

Prop. Location: 777 N Smith RD, 775 N Smith RD
Number of Units/Structures: 4/1
Units/Bedrooms/Max # of Occupants: 3/2/4 1/1/2

Date Inspected: 06/11/2013
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 1

Inspectors: Norman Mosier
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1960.
There were no requirements for emergency egress at the time of construction.

INTERIOR:

MAIN LEVEL

UNIT 1

Living Room 15 x 12:

No violations noted.

Kitchen 12 x 8:

Repair the storm door to latch properly. BMC 16.04.060(a)

Hallway:

Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

LS

25

W Bedroom 12 x 11:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1960

Height: 24 inches

Width: 34 inches

Sill Height: 27 inches

Openable Area: 5.67 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Hall Bath:

Repair the protruding receptacle to be flush with the wall. BMC 16.04.060(b)

Secure toilet to its mountings. BMC 16.04.060(a)

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. north wall. BMC 16.04.060(a)

E Bedroom 11 x 10:

Repair the window to latch properly. BMC 16.04.060(b)

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1960

Height: 22 inches

Width: 32 inches

Sill Height: 30 inches

Openable Area: 4.89 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

UNIT 2

Living Room 17 x 15, Kitchen 11 x 4:

No violations noted.

Dining Room 11 x 7:

Repair the sliding glass door screen to function as intended, out of track. BMC 16.04.060(a)

Hallway:

No violations noted.

Hall Bath:

Repair the sink stopper assembly to function as intended, came apart. BMC 16.04.060(b)

W Bedroom 13 x 12:

No violations noted.

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1960

Height: 24 inches

Width: 34 inches

Sill Height: 27 inches

Openable Area: 5.67 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

E Bedroom 10 x 8:

Repair the door to fit the doorjamb and to latch properly. BMC 16.04.060(a)

Existing Egress Window Measurements: Dbl hung: Const. Yr. - 1960

Height: 22 inches

Width: 32 inches

Sill Height: 30 inches

Openable Area: 4.89 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

BASEMENT

UNIT 3

Entry Closet:

Repair the door to fit the door jamb and to latch properly. BMC 16.04.060(a)

Living Room/Kitchen 21 x 16:

No violations noted.

Furnace Closet:

Repair the duct work on the furnace and water heater to have ¼ rise, and repair the damaged collar on top of the water heater, smashed down. BMC 16.04.060(c)

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm
BMC 16.01.060(f) and 16.04.060 (c)	

Bathroom:

No violations noted.

S Bedroom 12 x 9:

No violations noted.

Existing Egress Window Measurements: Slider: Const. Yr. - 1960

Height: 21.5 inches

Width: 22 inches

Sill Height: 50 inches

Openable Area: 3.28 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020

N Bedroom 11 x 10:

Repair the door to fit the door jamb and to latch properly. BMC 16.04.060(a)

Existing Egress Window Measurements: Slider: Const. Yr. - 1960

Height: 21.5 inches

Width: 22 inches

Sill Height: 50 inches

Openable Area: 3.28 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020

UNIT 4

Living Room 19-1 x 13-4:

Repair the entry door to be weather tight at the bottom. BMC 16.04.060(a)

Repair/replace the worn and /or deteriorated carpet along the west wall. BMC 16.04.060(a)

LS Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

Repair the sliding glass door to latch properly and to lock. BMC 16.04.060(a)

LS Properly ground all of the electrical receptacles. If the receptacles are on an ungrounded system, it is acceptable to install 2-pole, ungrounded receptacles, or GFCI receptacles.
BMC 16.04.060(b)

Furnace Closet:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)
Acceptable level in a living space: 9 ppm
Maximum concentration for flue products: 50 ppm
BMC 16.01.060(f) and 16.04.060 (c)

Repair the furnace to drain properly, water is dripping from cabinet. BMC 16.04.060(c)

LS Repair the sagging furnace duct work to have a ¼ rise from water heater to collar of chimney. BMC 16.04.060(c)

Kitchen:

Determine the source and eliminate the water leak under the sink. BMC 16.04.060(b)

S. Storage Room: **NOTE: This room cannot be used as a sleeping room.**

LS Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

Bedroom 10-3 x 8-11:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster west wall and east wall. BMC 16.04.060(a)

Existing Egress Window Measurements: Slider: const. Yr. - 1960

Height: 22 inches

Width: 22 inches

Sill Height: 51 inches

Openable Area: 3.36 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020

Bathroom:

Seal edge of floor covering adjacent to bathtub. BMC 16.04.060(a)

Study:

LS Replace the missing receptacle cover plate on the west wall. BMC 16.04.060(b)

EXTERIOR:

Trim all tree branches away from the siding and roofline to maintain a 3' clearance.
BMC 16.04.040(e)

Clean debris from the roof, gutters and downspouts. BMC 16.04.050(a)

Reconnect the downspout on the SE corner of structure. BMC 16.04.050(a)

Remove the vines that are growing on the structure. BMC 16.04.050(b)

Install the missing handrails for the stairs on the NW and SW corners of the structure.
Every flight of interior stairs with 3 or more risers and **every flight of exterior stairs with 2 or more risers shall be provided with handrails.** Porches, balconies, decks or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards not less than 36 inches in height. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guards not less than 34 inches in height measured vertically from the nosing of the treads. Guards and handrails on open sides of stairs shall be provided with intermediate railings that do not allow passage of a 4" diameter sphere. BMC 16.04.020

Secure the loose soffit on the south side of chimney. BMC 16.04.050(a)

Repair the failing drain pipe on the south end of the driveway. BMC 16.04.040(c)

Repair the erosion in the driveway caused by the above violation. BMC 16.04.040(c)

Remove and properly dispose of all accumulated or scattered trash and debris on property.
BMC 16.04.040(d)

DECK:

LS Secure the staircase for the deck, wobbles. BMC 16.04.020(a)(1)

LS Replace broken or missing spindles in handrail/guardrail, on the stairway and the south end of deck. BMC 16.04.020, BMC 16.04.050(b) and BMC 16.04.050(b)

LS Tighten the loose nuts and bolts on the underneath side of deck, S. band board west end.
BMC 16.04.060(b)

OTHER REQUIREMENTS:

Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent.

This form must be signed by the owner. This form must be submitted to the HAND office within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.010(b) and BMC 16.01.030(b)

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector **within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.060(c) and BMC 16.10.030(b)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.03.050(e) and BMC 16.10.030(b)**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)

This is the end of this report.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: October 16, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-105
Address: 515 S. Washington St.
Petitioner: HAND
Inspector: Norman Mosier
Staff Report: September 9, 2013 – Conducted Cycle Inspection
September 11, 2013 – Received BHQA Appeal

This property was previously granted a variance on 08/06/2006 for the ceiling height requirement of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and there was no Building Code in place at the time of construction; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application



RECEIVED
SEP 11 2013

Application for Appeal.....
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 515 S. WASHINGTON ST.
Petitioner's Name: H.A.N.D
Address: 401 N. MORTON ST. STE. 130 P.O. BOX 100
City: BLGTN State: IN. Zip Code: 47402
Phone Number: 349-3420 Email Address: _____
Property Owner's Name: MICHAEL DONHAM
Address: 5900 N. MAPLE GROVE RD.
City: BLGTN. State: IN. Zip Code: 47404
Phone Number: 812-856-7040 Email Address: _____
Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
C) Relief from an administrative decision (Petition type AA)
☒ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

Petition Number 13-RV-105

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

VARIANCE DATED 8-9-06 FOR CEILING HEIGHT
REQUIREMENT IN THE BASEMENT IS NO LONGER PART
OF BLOOMINGTON MUNICIPAL CODE AND SHOULD BE
RESCINDED BY THE BOARD OF HOUSING & QUALITY APPEALS.

Signature (required):

Norman Mosier

Name (please print):

NORMAN MOSIER

Date:

9-11-13

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
H.A.N.D.

Board of Housing Quality Appeals
Staff Report: Petition for Relief from an Administrative Decision

Meeting Date: October 16, 2013

Petition Type: Relief from an administrative decision

Variance Request: Relief from the requirement to register as a rental

Petition Number: 13-AA-106

Address: 321 W. 15th Street

Petitioner: Richard Rampley

This property is owned by Richard Rampley who inherited the property from his mother. Mr. Rampley's niece, Katherine Rampley, is the primary occupant of the structure. Water service at this property is in the name of Robert Rampley since 1973. Average water usage by this customer is 4,000 gallons and last usage was 1,000 gallons.

Staff recommendation: Grant relief from the rental registration process

Conditions: This unit will not be considered a rental as long as it is owned by the current owner and occupied by Katherine Rampley. This property will be pull dated for one year to check status.

Compliance Deadline: None

Attachments: Appeal form

RECEIVED
SEP 12 2013



BY: _____

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 321 W. 15th Street

Petitioner's Name: RICHARD RAMPLEY

Address: 321 W. 15th St

City: Bloomington State: IN Zip Code: 47404

Phone Number: 812.340.3908 Email Address: rrampley@tds.net

Property Owner's Name: SAME

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Email Address: _____

Occupants: RICHARD RAMPLEY KATHERINE RAMPLEY

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

A) An extension of time to complete repairs (Petition type TV)

☒ B) A modification or exception to the Housing Property Maintenance Code (Petition type V)

☐ C) Relief from an administrative decision (Petition type AA)

☐ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

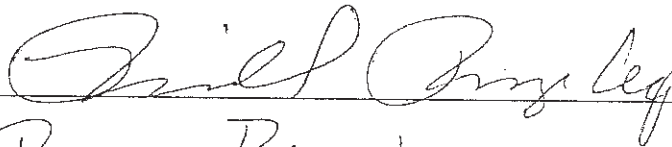
Petition Number 13-AA-106

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

The property was previously owned by my mother. She passed away. My Brother, sister and I inherited the property. I purchased the property from my brother & sister. I live there part-time along with my niece. The property is Not rented nor is it planned to be rented. Only family members will be living there.

Signature (required):



Name (please print):

RICHARD RAMPLEY

Date:

9-12-2013

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: October 16, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-107
Address: 1322 S. Washington St.
Petitioner: HAND
Inspector: Norman Mosier
Staff Report: June 11, 2013 – Conducted Cycle Inspection
September 17, 2013 – Conducted Re-inspection

This property was previously granted a variance on 03/08/2006 to the ventilation requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ventilation requirement and there was no Building Code in place at the time of construction; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application



RECEIVED
SEP 16 2013

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 1322 S. WASHINGTON ST.

Petitioner's Name: HAND

Address: 401 N. MORTON ST. STE. 130 P.O. BOX 100

City: BLGTN. State: IN. Zip Code: 47402

Phone Number: 349-3420 Email Address: _____

Property Owner's Name: BARRY DAVICK/JENNIFER HART

Address: 1302 LONGWOOD DR.

City: BLGTN. State: IN. Zip Code: 47401

Phone Number: 336-1425 Email Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- ☒ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

Petition Number 13-RV-107

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

RESCIND VARIANCE DATED 3/8/2006 FOR MINIMUM
VENTILATION REQUIREMENTS IN THE DINING ROOM AND THE
KITCHEN. THIS REQUIREMENT IS NO LONGER A PART OF
THE BLOOMINGTON MUNICIPAL CODE AND SHOULD BE
RESCINDED BY THE BOARD OF HOUSING AND QUALITY
APPEALS.

Signature (required):

Norman Mosier

Name (please print):

NORMAN MOSIER

Date:

9-18-13

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: 10/16/2013

Petition Type: An extension of time to complete repairs.

Petition Number: 13-TV-108

Address: 1007 N. Summit, Crestmont Public Housing Complex

Petitioner: Mike Bolton, Lead Maintenance, BHA

Inspector: Dee Wills

Staff Report: August 16, 2013 Completed Cycle Inspection
September 12, 2013 Received Application for Appeal

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: Life Safety violations: October 30, 2013 (Bolded)
All other violations: November 16, 2013

Attachments: Application for Appeal, Cycle Inspection Report

JS



RECEIVED
SEP 10 2013

Page 1 of 2

BY: _____

**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 1007 N. Summit St, Crestmont Public Housing Complex

Petitioner's Name: City of Bloomington Housing Authority

Address: 1007 N. Summit St.

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 339-3491

E-mail Address: mboltion@blha.net

Owner's Name: Same as above

Address: _____

City: _____

State: _____

Zip Code: _____

Phone Number: _____

E-mail Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

Petition Number: 13-TV-108

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

The City of Bloomington Housing Authority is respectfully requesting additional time to complete items cited on the recent inspection of our Crestmont Property. This property consist of one hundred and ninety four (194) units and contain one, two, three, four and five bedroom units. One of the items cited during the inspection was issues with our smoke alarm systems. Although our smoke alarms are hard wired not all of them are interconnected. It will take additional time to investigate and repair this issue and bring it to the current code requirement. I would request a sixty (60) day extension.

Signature (Required): Mike Bolton

Name (Print): Mike Bolton, Lead Maintenance, BHA

Date: 9/12/13

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.





City of Bloomington
Housing and Neighborhood Development

Cycle Report

5807

OWNERS

Bloomington Housing Authority
1007 N. Summit Street
Bloomington, IN 47404

AGENT

Hays, Debbie
1007 N. Summit Street
Bloomington, IN 47404

Prop. Location: 1007 N Summit ST
Units/Bedrooms/Max # of Occupants: 204/2/4
Date Inspected: 08/16/2013
Primary Heat Source: Gas
Property Zoning: RH
Number of Stories: 2

Number of Units/Structures: 204/55

Inspectors: Dee Wills
Foundation Type: Slab
Attic Access: No
Accessory Structure: None

Note: Room dimensions are on file. Only those areas containing violations are listed in this report.

INTERIOR

One Story Units:

Typical Unit:

Living Room, Kitchen, Bathroom, Bedroom:

Typical Egress:

Existing Egress Window Measurements:

Height: 24 inches

Width: 39 inches

Sill Height: 27 inches

Openable Area: 6.5 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

N. MONROE ST.

Unit 915

General Condition

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.

Unit 917

Kitchen

Secure the exhaust fan BMC 16.04.060(a)

Unit 921

General Condition

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.5

Unit 1007

Bathroom

Re-attach the vanity door. BMC 16.04.060(a)

N. SUMMIT ST.

Unit 911

General Condition

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3

Unit 915

Bedroom

Repair the hole in the wall adjacent to the light switch. BMC 16.04.060(a)

Unit 1008

Kitchen

Repair the front right burner so it can function as intended. BMC 16.04.060

Unit 1112

Currently this unit is being remodeled. Check at re-inspection.

Two Story Units**Typical Unit:****Living Room, Kitchen, Bathroom, 2-5 Bedrooms****Lower Level Typical Egress:****Height: 18.50 inches****Width: 22 inches****Sill Height: 27.75 inches****Openable Area: 2.82 sq. ft.**

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Upper Level Typical Egress:**Height: 15.50 inches****Width: 34 inches****Sill Height: 37 inches****Openable Area: 3.65 sq. ft.**

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.020

N. ILLINOIS ST.**Unit 904****Upper Level****Hallway**

Provide operating power to smoke detector. IC 22-11-18-3.5

Unit 906**Upper Level****NW Bedroom**

Every window shall be capable of being easily opened and held in position by its own hardware. Remove all nails from window. BMC 16.04.060(b)

SW Bedroom

Every window shall be capable of being easily opened and held in position by its own hardware. Remove all nails from window. BMC 16.04.060(b)

East Bedroom

Every window shall be capable of being easily opened and held in position by its own hardware. Remove all nails from window. BMC 16.04.060(b)

Unit 907

Currently this unit is not accessible. Check at re-inspection

Unit 913

Lower Level

Repair the hole in the west wall of the stairway. BMC 16.04.060(a)

Living Room

Provide operating power to smoke detector. IC 22-11-18-3.5

Upper Level

Bathroom

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

East Bedroom

Repair the holes in the south wall. BMC 16.04.060(a)

Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

Unit 921

Lower Level

Kitchen

Repair the faucet to eliminate the constant dripping. BMC 16.04.060(c)

Upper Level

Bathroom

Install approved heating register/grille. BMC 16.04.060(b)

Unit 1003

Upper Level

Bathroom

Scrape and paint the window where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Unit 1005

Upper Level

Bathroom

Replace base board at the bottom of the southwest wall. BMC 16.04.060(a)

Unit 1009

Lower Level

Living Room

Re-secure the outlet cover plate on the west wall. BMC 16.04.060(a)

Unit 1006, Unit 1008, Unit 1010, Unit 1012

Currently under construction. Check at re-inspection.

Unit 1011

General Condition

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.5

Lower Level

Kitchen

Repair the hole under the window adjacent to the door. BMC 16.04.060(a)

Upper Level

Hallway

Properly repair and surface coat the hole(s) in the wall. BMC 16.04.060(a)

Bedroom 2

Repair the broken window. BMC 16.04.060(b)

Unit 1013

Upper Level

Bathroom

Properly repair and surface coat the window sill. BMC 16.04.060(a)

Unit 1017

Lower Level

Kitchen

Repair the outlet left of sink to be wired properly. BMC 16.04.060(b)

Upper Level

Bathroom

Seal the base of shower surround at the top of the tub and loose seam of the surround.
BMC 16.04.060(a)

Bedroom 2

Properly repair and surface coat the hole in the wall adjacent to the door. BMC 16.04.060(a)

N. SUMMIT ST.**Unit 912****Upper Level****Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Unit 1019**Lower Level****Hallway**

Repair the mechanical room door to open and close with ease. BMC 16.04.060(a)

Upper Level**Bathroom**

Repair the GFCI outlet to function as intended. BMC 16.04.060(b)

Unit 1021**Lower Level****Bedroom**

Repair the window to remain fully open using hardware that is part of the window.
BMC 16.04.060(a)

Unit 1025**Lower Level****Kitchen**

Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Unit 1029**Lower Level****Kitchen**

Repair the entry door to be weather tight. No gaps shall be visible around the edges. BMC 16.04.060(a)

Unit 1041**Lower Level****Kitchen**

It is strongly recommended that A minimum 1A 10BC classification fire extinguisher be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.

Upper Level**Bedroom**

Repair the hole in the south wall. BMC 16.04.060(a)

Unit 1045**Lower Level****Living Room**

Repair the entry door to be weather tight. No gaps shall be visible around the edges. BMC 16.04.060(a)

Kitchen

Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Upper Level**SW Bedroom**

Replace the backup battery to smoke detector. IC 22-11-18-3.5

Hallway

Repair the hole in the south wall. BMC 16.04.060(a)

Unit 1103**Lower Level****Living Room**

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Unit 1107**Lower Level Kitchen**

Properly repair the right front burner on stove to function as intended. BMC 16.04.060(c)

Unit 1108**Lower Level****Living Room**

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Unit 1104**Upper Level****Hallway**

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Unit 1111**Upper Level****SE Bedroom**

Properly secure the outlet cover plate. BMC 16.04.060(a)

Unit 1113**Stair way**

Secure the handrail so it is capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

Repair the holes in the wall. BMC 16.04.060(a)

Upper Level**NE Bedroom**

Repair the hole in the south wall at the east end. BMC 16.04.060(a)

Unit 1117**Lower Level****Mechanical Room**

Replace the broken door hinge. BMC 16.04.060(a)

W. 12TH STREET**Unit 1222****General Condition**

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.5

Unit 1224**General Condition**

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.5

Lower Level**Hallway**

Repair the hole in the wall. BMC 16.04.060(a)

Unit 1302**Upper Level****Hallway**

Replace the non-functioning smoke detector. IC 22-11-18-3.5

Unit 1304**Lower Level****Kitchen**

Replace the missing/broken fan knob on the exhaust fan. BMC 16.04.060(c)

Unit 1312**Upper Level****Bedroom 1**

Replace the missing floor tiles and baseboard trim. BMC 16.04.060(a)

Bedroom 3

Replace the broken/missing outlet cover plate on the south wall. BMC 16.04.060(a)

Unit 1316**Upper Level****Bathroom**

Repair the wall and the trim at the bathroom door. BMC 16.04.060(a)

Hallway

Replace the non-functioning smoke detector. IC 22-11-18-3.5

Unit 1404**Lower Level****Living Room**

Provide operating power to smoke detector. IC 22-11-18-3.5

Replace the missing trim at the base of the stair and at the hallway. BMC 16.04.060(a)

Upper Level**Bathroom**

Properly ground the electrical receptacle. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. BMC 16.04.020(a)(5); 2009 IEC Article 406(D)(3)(open ground)

Hallway

Provide operating power to smoke detector. IC 22-11-18-3.5

Unit 1406**Upper Level****Hallway**

Provide operating power to smoke detector. IC 22-11-18-3.5

Unit 1410 Repair th**General Condition**

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.5

Lower Level**Hallway**

Repair/ replace the missing/broken slats in the furnace closet door. BMC 16.04.060(a)

Upper Level**Bathroom**

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Eliminate the leak at the tub faucet. BMC 16.04.060(c)

Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f) (Window and trim)

Replace the missing stool reservoir tank cover. BMC 16.04.060(c)

Hallway

Replace the non-functioning smoke detector. IC 22-11-18-3.5

Bedroom 1

Replace broken/missing light switch cover plate. BMC 16.04.060(a)

Unit 1412

Lower Level

Living Room

Properly repair and surface coat the hole in the wall behind the entry door. BMC 16.04.060(a)

Upper Level

Bedroom 3

Replace the broken/missing outlet cover plate on the north wall. BMC 16.04.060(a)

Unit 1502

No access. Check at re-inspection.

Unit 1504

Upper Level

Hallway

Replace the broken floor tile. BMC 16.04.060(a)

Bathroom

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Repair the deteriorated framing around the window. BMC 16.04.060(a)

Unit 1506

Lower Level

Hallway

Repair the furnace closet door to open. BMC 16.04.060(a)

Unit 1520

No access. Check at re-inspection.

W. 13th STREET**Unit 1215****Lower Level****Kitchen**

Clean and service the exhaust fan so that it functions as intended. BMC 16.04.060(c)

Upper Level**Hallway**

Replace the backup battery to smoke detector. IC 22-11-18-3.5

Unit 1301**Upper Level****Bathroom**

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Properly remove and clean all mold on the west wall above the tub. BMC 16.04.060(d)

East Bedroom

Repair the window to remain fully open using hardware that is part of the window.
BMC 16.04.060(a)

Unit 1303**Lower Level****Kitchen**

Scrape and paint interior surfaces in corner adjacent to the pantry where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Repair/replace the tank valve or flapper valve to eliminate the constant running of water in the toilet. BMC 16.04.060(c)

Unit 1305**Lower Level****Hallway**

Properly secure the thermostat to the wall so that it functions as intended. BMC
16.04.060(c)

Bathroom

Repair/replace the damaged door. BMC 16.04.060(a)

Repair the hole in the wall. BMC 16.04.060(a)

Bedroom

Repair/replace the damaged closet door. BMC 16.04.060(a)

Unit 1307**Lower Level****Hallway**

Repair/replace the damaged closet door. BMC 16.04.060(a)

Repair the hole in the west wall. BMC 16.04.060(a)

Upper Level**Hallway**

Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

Unit 1311**Lower Level****Entryway**

Properly repair the base board adjacent to the stairway. BMC 16.04.060(a)

Upper Level**Hallway**

Repair the hole in the west wall. BMC 16.04.060(a)

Bathroom

Properly replace the rotting window sill. BMC 16.04.060(a)

Unit 1313**Lower Level****Living Room**

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster.
Repair the crack in the east firewall BMC 16.04.060(a)

Unit 1315**Upper Level****Bathroom**

Scrape and paint interior surfaces of window where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

West Bedroom

Properly repair the east window to be openable, to lock securely using its own hardware, and to be weather tight. BMC 16.04.060(b)

Repair the south window to remain fully open using hardware that is part of the window. BMC 16.04.060(a)

Unit 1319**Hallway**

Properly repair or replace loose, damaged, or missing floor covering. BMC 16.04.060(a)

Unit 1321

Lower Level

Living Room

Replace the backup battery to smoke detector. IC 22-11-18-3.5

Repair/replace the damaged door. BMC 16.04.060(a)

Upper Level

Bathroom

Scrape and paint interior surfaces of window where paint is peeling or bare surfaces are exposed. BMC 16.04.060(f)

Repair the hole in window sill. BMC 16.04.060(a)

South Bedroom

Repair/replace the damaged door. BMC 16.04.060(a)

Unit 1323

Lower Level

Kitchen

Repair or replace the strike plate to the entry door. BMC 16.04.060(a)

Upper Level

Bathroom

Repair the toilet in a manner so that it functions as intended and prevents the water from constantly running. BMC 16.04.060(c)

Unit 1327

Lower Level

Hallway

Repair and re-attach the base board. BMC 16.04.060(a)

Replace the broken/missing outlet cover plate. BMC 16.04.060(a)

Unit 1329

Lower Level

Living Room

Properly repair or replace damaged floor tile. BMC 16.04.060(a)

Kitchen

Repair the GFCI outlet to function as intended. BMC 16.04.060(b)

Upper Level

Rear Bedroom

Repair/replace the door. BMC 16.04.060(a)

Stairway

Repair the hole in the wall. BMC 16.04.060(a)

Unit 1331Lower LevelKitchen

Adjust strike plate to the entry door so that it functions as intended. BMC 16.04.060(a)

Unit 1405Lower LevelBathroom

Properly replace the rotting window sill. BMC 16.04.060(a)

Unit 1407Lower Level

Repair or replace existing smoke detectors in a manner so that it functions as intended. IC 22-11-18-3.5

Unit 1413Lower Level

Properly replace the inspection cover to the water heater. BMC 16.04.020, and BMC 16.04.060(c)

Upper LevelRear Bedroom

Properly repair the windows to be openable, to lock securely using its own hardware, and to be weather tight. BMC 16.04.060(b)

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Unit 1417Lower LevelLiving Room

Install a smoke detector in an approved location. If wall mounted, it shall be located between 4 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. IC 22-11-18-3.5

Unit 1414

Repair or replace existing smoke detectors in a manner so that it functions as intended. IC 22-11-18-3.5

Unit 1418

Stairway

Every flight of stairs which is more than 3 risers high shall have handrails. Every open portion of a stair, porch, landing or balcony which is more than 30 inches above the floor or grade below shall have guardrails. Guardrail intermediates must be installed such that a 4" sphere cannot pass through any opening. BMC 16.04.020

Unit 1420**Upper Level****Hallway**

Properly repair or replace loose, damaged, or missing floor tiles. BMC 16.04.060(a)

W. ILLINOIS COURT**Unit 1417****Lower Level**

Repair/replace the damaged laundry door. BMC 16.04.060(a)

Unit 1415**Upper Level****Bathroom**

Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

Front Bedroom

Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

Unit 1411**Upper Level****Hallway**

Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

Unit 1409**Upper Level****Bathroom**

Repair the toilet in a manner so that it functions as intended and prevents the water from constantly running. BMC 16.04.060(c)

Properly replace the missing portion of the handrail at the top of the stairway. BMC 16.04.060(b)

Unit 1407**Upper Level**

Properly replace the missing portion of the handrail at the top of the stairway. BMC 16.04.060(b)

Unit 1405

Upper level

1st Bedroom

There is a mattress in this room that shows signs of bedbugs. This may indicate an infestation.

Master Bedroom

Repair or replace existing smoke detector in a manner so that it functions as intended. IC 22-11-18-3.5

Stairway

Secure the handrail so it is capable of withstanding normally imposed loads. BMC 16.04.050(b) and BMC 16.04.060(b)

Lower Level

Properly replace the inspection cover to the water heater. BMC 16.04.020, and BMC 16.04.060(c)

Unit 1403

Lower Level

Kitchen

Replace missing/broken cabinet drawer fronts. BMC 16.04.060(a)

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Unit 1404

This unit was not inspected at the time of the cycle inspection. This unit must be inspected and brought into compliance with-in the same 60 day deadline as the remainder of this property. BMC 16.03.040

Unit 1406

Upper Level

NW Bedroom

Every window shall be capable of being easily opened and held in position by its own hardware. BMC 16.04.060(b)

Unit 1408

Upper Level

Bathroom

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

**Repair the window to remain fully open using hardware that is part of the window.
BMC 16.04.060(a)**

N. LINDBERGH DRIVE

Unit 904

General Condition

Complete the repairs to the first level.

Unit 906

General Condition

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.5

Lower Level

Hallway

Properly repair and surface coat the damaged areas of the wall. BMC 16.04.060(a)

Upper Level

Bathroom

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Unit 908

General Condition

Repair the smoke detector interconnection to function as intended. IC 22-11-18-3.5

Lower Level

Kitchen

Maintain minimum clearances from combustibles:

- | | |
|---------------------------------------|---|
| • Fuel-fired appliances: | 36" clearance from combustible storage |
| • Single-wall vent connectors: | 1" clearance from Flow Guard Gold CPVC |
| | 6" clearance for other combustibles |
| • Double-wall vent connectors: | 1" clearance for all combustibles |
| • Draft hood: | 6" clearance for all combustibles |

BMC 16.04.060(c)

Upper Level

Hallway

Properly repair and surface coat the damage to the ceiling under the smoke detector and light fixture. BMC 16.04.060(a)

Unit 910

Exterior

It is strongly recommended the gas fuel scooters not be stored on the porches.

Unit 912**Upper Level****Bathroom**

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Properly seal and repair the window sill. BMC 16.04.060(a)

Repair/replace the loose tile. BMC 16.04.060(a)

Unit 914**Lower Level****Living Room**

Secure the loose outlet cover plate. BMC 16.04.060(a)

Properly seal the gap around the cover plate. BMC 16.04.060(a)

Properly seal the entire perimeter of the tub/shower including the floor. BMC 16.04.060(a)

Unit 918**Lower Level****Living Room**

Repair the hole in the wall. BMC 16.04.060(a)

Unit 922**Upper Level****Bathroom**

Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

Lower Level**Kitchen**

Replace the missing pull string on the light fixture. BMC 16.04.060(c)

Unit 924**Upper Level****Rear Bedroom**

Repair the hole(s) in the door or replace the door. BMC 16.04.060(a)

Unit 926**Upper Level****Bathroom**

Remove and clean all mold from surfaces. BMC 16.04.060(d)

Unit 1002**Upper Level****Bathroom**

Repair/replace the loose tiles. BMC 16.04.060(a)

Unit 1004**Upper Level****Bathroom**

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Unit 1008**Lower Level****Living Room**

Replace the broken/missing outlet cover plate on the east wall. BMC 16.04.060(a)

Unit 1016**Lower Level****Living Room**

Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

NW Bedroom

Repair the holes in the south, north, and east walls. BMC 16.04.060(a)

Unit 1014**Lower Level****Living Room**

Properly mount the smoke detector. IC 22-11-18-3.5

Replace the missing pull string on the light fixture. BMC 16.04.060(c)

Unit 1018**Upper Level****Hallway**

Repair or replace existing smoke detector in a manner so that it functions as intended.
IC 22-11-18-3.5

Unit 1116**Lower Level**

Repair/replace the loose tiles at the door to the furnace closet. BMC 16.04.060(a)

Unit 1118**Upper Level****Bathroom**

Seal the base of shower surround at the top of the tub. BMC 16.04.060(a)

Hallway

Repair/replace the loose tiles at the door to bedroom 3. BMC 16.04.060(a)

Other requirementsRequired documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.** BMC 16.12.050 (d) and 16.10.030(b)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC16.12.040 and 16.10.030(b)

Required documentation:

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner and provided to the office within 60 days of the date of the inspection or a \$25.00 fee will be levied.** BMC 16.03.010(b), BMC 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

This is the end of this report.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: October 16, 2013

Petition Type: Extension of time to complete repairs.

Petition Number: 13-TV-109

Address: 515 N. Grant St.

Petitioner: HAND

Inspector: Michael Arnold

Staff Report: 31 May 2013 Cycle Inspection
18 September 2013 Reinspection
19 September 2013 Received Appeal

During the Cycle Inspection it was noted that the furnaces for units B01 and 201 were installed in the closets of sleeping rooms. This was not permitted by the Indiana Building Code at the time of construction. This Board had granted a variance to the code on 10 May 2010. This item requires a variance from Dept. of Homeland Security. Petitioner is requesting time to get this variance.

Staff Recommendation: Grant the Extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Deadline: December 16, 2013

Attachments: Application, Remaining Violations Report

[Handwritten mark]



RECEIVED
SEP 19 2013

BY: _____

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: _____

Petitioner's Name: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Phone Number: _____

Email Address: _____

Property Owner's Name: _____

Address: _____

City: _____

State: _____

Zip Code: _____

Phone Number: _____

Email Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

☒ A) An extension of time to complete repairs (Petition type TV)

☐ B) A modification or exception to the Housing Property Maintenance Code (Petition type V)

☐ C) Relief from an administrative decision (Petition type AA)

☐ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

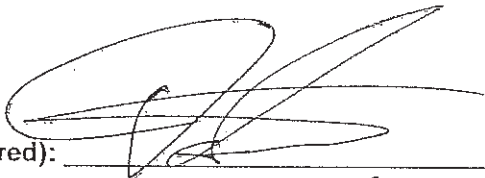
Petition Number 13-TV-109

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

I have to ask for a variance from the state, for two different apartments where the furnaces are in bedroom closets. This adaptive reuse of an old church was done in 1996. The entire building has a sprinkler system and is up to code otherwise. Constraints on space were the reason these apartments have the furnaces in the closets.

Signature (required):



Name (please print):

Dan First

Date:

Sept 19, 2013

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.



City of Bloomington
Housing and Neighborhood Development

OCT 09 2013

Remaining Violation Report
Re-inspected 09/18/2013

4944

OWNERS

Fierst, Roger L.
2202 S. Belhaven Court
Bloomington, IN 47401

AGENT

Fierst, Dan P.
430 N. Washington St.
Bloomington, IN 47408

Prop. Location: 515 N Grant ST
Units/Bedrooms/Max # of Occupants: 6/2/5 2/4/5 2/5/5
Date Inspected: 05/31/2013
Primary Heat Source: Gas
Property Zoning: RM
Number of Stories: 3

Number of Units/Structures: 10/1

Inspectors: Maria McCormick
Foundation Type: Other
Attic Access: No
Accessory Structure: None

VARIANCE

05/17/2010 This property has been granted a variance from the Indiana State Fire Safety and Building Safety Commission on January 8, 2010 for the egress requirements. Project Name: STONE CHURCH APARTMENTS; Variance Number: 10-01-7.

03/10/2010 Granted a variance to the requirement that fuel fired appliances not draw combustion air from sleeping rooms in units 201 & B1 with the condition that if the furnace is ever replaced it be replaced with a non-fuel burning furnace.

This property was previously granted a variance to the requirement that fuel fired appliances location of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include that requirement therefore the variance must be rescinded by the Board of Housing Quality Appeals. This process may slightly delay the issuance of your Rental Occupancy Permit, but will not negatively affect the length of your permit.

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Residential Rental Unit and Lodging Establishment Inspection Program of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under BMC 16.03.040

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Units B01 and 201:

All residential units and accessory structures thereof shall be maintained in compliance with the provisions of those codes noted in 16.04.020(a) (which includes the Indiana Mechanical Code). Compliance shall be in accordance with those codes in effect at the time the residential rental unit or accessory structure thereof was built or remodeled. The code in effect at the time the structure was converted to living space was the 1993 Indiana Mechanical Code.

1993 Indiana Mechanical Code Sec. 704 States:

Warm air furnaces shall not be installed:

5. In a room used or designed to be used as a bedroom, bathroom, closet or in any enclosed space with access only through such room or space.

Exception: Direct vent furnaces, enclosed furnaces and electric heating furnaces.

Access to furnaces located in an attic or under-floor crawl space may be through a closet.

The furnaces in B01 and 201 do not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the furnaces in B01 and 201 are altered or replaced to meet the code requirement at the time of construction, or you apply for a variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

- **Inventory & Damage List:** The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be

retained by all parties and shall be deemed a part of the tenancy agreement
BMC16.03.050(c)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.03.030(d)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition to Rescind Variance**

Meeting Date: October 16, 2013
Petition Type: Rescind a Variance
Petition Number: 13-RV-110
Address: 718 S. Lincoln St.
Petitioner: HAND
Inspector: Norman Mosier
Staff Report: September 12, 2013 – Conducted Cycle Inspection
September 17, 2013 – Received BHQA Appeal

This property was previously granted a variance to the ceiling height requirements of the Property Maintenance Code. The Residential Rental and Lodging Establishment Inspection Program does not include a ceiling height requirement and there was no Building Code in place at the time of construction; therefore we are asking the Board to rescind this variance.

Staff Recommendation: Rescind the variance

Conditions: None

Attachments: Application



RECEIVED
SEP 19 2013

BY: _____

Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 718 S. LINCOLN ST.

Petitioner's Name: HAND

Address: 401 N. MORTON PO BOX 100

City: BLGTN. State: IN. Zip Code: 47402

Phone Number: 349-3420 Email Address: _____

Property Owner's Name: JOHN SIMPSON

Address: 214 N. ROGERS ST

City: BLGTN. State: IN. Zip Code: 47404

Phone Number: 334-0472 Email Address: _____

Occupants: _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Please circle the petition type that you are requesting:

- A) An extension of time to complete repairs (Petition type TV)
- B) A modification or exception to the Housing Property Maintenance Code (Petition type V)
- C) Relief from an administrative decision (Petition type AA)
- ☒ D) Rescind a variance (Petition type RV)

REMINDER: A \$20 filing fee must be submitted with this application before the property can be placed on the meeting agenda.

OFFICE USE ONLY

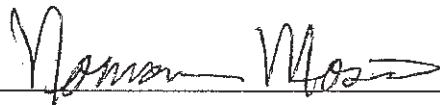
Petition Number 13-RV-110

SEE REVERSE

Please provide details regarding your request below; you may attach any exhibits or additional comments as you deem necessary and pertinent to your request. Be specific as to what you are requesting, the reason or justification for your request, the amount of time needed to bring the property into compliance, and any modifications and/or alterations you are suggesting.

A VARIANCE WAS GRANTED ON 10-14-93 TO THE
MINIMUM CEILING HEIGHT REQUIREMENT IN THE UPSTAIRS
BEDROOMS. THIS VARIANCE SHOULD BE RESCINDED
BY THE BHQA AS IT IS NO LONGER PART OF THE
BLOOMINGTON MUNICIPAL CODE.

Signature (required):



Name (please print):

NORMAN MOSIER

Date:

9-20-13

You may attend the meeting. If you attend, please note that all petitioners presenting a matter to the Board shall be limited to no more than five minutes to present their case and arguments. Additional time can be granted if deemed appropriate by the Board. Please note that if your property is listed on the consent agenda it is more likely than not that your property will not be individually discussed during the Board's meeting.